

Town of Amherst
Zoning Board of Appeals - Special Permit

DECISION

Applicant: Alex Hiam
98 Spring Street
Amherst, MA 01002

Owner: Same as applicant

Date application filed with the Town Clerk: November 3, 2009

Nature of request: Request for a Special Permit to alter (add a door and roof overhang) on an existing non-conforming dwelling (side yard setback) on a non-conforming property (lot frontage and lot area) under Section 9.22 of the Zoning Bylaw.

Address: 98 Spring Street (Map 14B, Parcel 36, R-G Zoning District)

Legal notice: Published on November 4 and November 11, 2009 in the Daily Hampshire Gazette and sent to abutters on November 3, 2009

Board members: Tom Simpson, Tom Ehrgood, Mark Parent

Submissions:

- Project Application Report, ZBA FY2010-00007, dated November 13, 2009;
- The ZBA application filed with the Town Clerk on November 3, 2009, site plan and proposed design plans;
- Letter from the applicant, received on November 13, 2009, requesting the withdrawal of the permit without prejudice.

Site Visit: There was no site visit associated with this application.

Public Hearing: November 19, 2009

The Board was informed that on November 4, 2009, Town Meeting adopted Article 7, Non-Conforming Structures. The article modified section 9.200 of the Zoning Bylaw such that a Special Permit was no longer required for this project.

Public Meeting – Zoning Board Decision

Mr. Parent MOVED to APPROVE the applicant's request for withdrawal of the application without prejudice. Mr. Ehrgood seconded the motion.

Mr. Parent MOVED to allow the applicant to receive a refund of the application fee. Mr. Ehrgood seconded the motion.

For all of the reasons stated above, the Board VOTED unanimously to APPROVE the request to WITHDRAW WITHOUT PREJUDICE the application for Special Permit, ZBA FY2010-00007, and to allow the applicant to receive a refund of the application fee.

TOM SIMPSON

TOM EHrgOOD

MARK PARENT

FILED THIS _____ day of _____, 2009 at _____,
in the office of the Amherst Town Clerk _____.

TWENTY-DAY APPEAL period expires, _____ 2009.

NOTICE OF DECISION mailed this _____ day of _____, 2009
to the attached list of addresses by _____, for the Board.

NOTICE OF PERMIT or Variance filed this _____ day of _____, 2009,
in the Hampshire County Registry of Deeds.